

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

SIMONE CRIBBS,

Plaintiff,

vs.

ACCREDITED COLLECTION SERVICE,
INC., AND BRUMBAUGH &
QUANDAL, P.C.,

Defendants.

8:15CV313

ORDER

The plaintiff has moved the court to reconsider the order striking the amended complaint, (Filing No. 16), or in the alternative, to grant Plaintiff leave to file an amended complaint. Plaintiff argues she was not afforded an opportunity to respond to the motion to strike the Filing 16 amended complaint.

The Filing 16 amended complaint was improperly filed without leave of the court. Defendants' motion drew the court's attention to Plaintiff's improper filing. If Plaintiff "has good cause to have filed the Amended Complaint," she needs to request and be granted leave to do so, in the absence of which the purported amended complaint is subject to be stricken *sua sponte*—with no motion or response filed by anyone.

IT IS ORDERED::

- 1) As to that portion of Plaintiff's motion, (Filing No. 53) which moves for reconsideration of the court's prior order striking Filing No. 16, the motion is denied.
- 2) As to that portion of Plaintiff's motion, (Filing No. 53) which requests leave to file an amended complaint, Defendants' response shall be filed on or before July 14, 2016, in the absence of which Plaintiff's motion to amend will be deemed unopposed and granted.

July 7, 2016.

BY THE COURT:
s/ Cheryl R. Zwart
United States Magistrate Judge